



DIRECTOR'S COLUMN

Henry L. Green

AG Opinion Provides Clarification on Appeals

On August 27, 1998, Attorney General Frank Kelly issued Opinion No. 6994 in response to a question posed on whether or not the State Construction Code Act of 1972 authorizes appeals to the State Construction Code Commission from the Construction Board of Appeals of a municipality that has exempted itself from enforcing the state construction code.

This opinion cites a municipality's ability to adopt a building code other than the state code and thereby exempting itself from those provisions of the Act which are not mandatorily applied to enforcing authorities. The Act contains several provisions that a community does not have an option of exempting itself from.

The opinion cites Section 8(7) and 8(10) of the Act as containing these provisions that "... must be complied with by all enforcing municipalities, regardless of whether they have elected to adopt another model building code."

These provisions include: state owned buildings; coordination of plans for hospitals and nursing homes; performance evaluations; permit requirements; prohibited appliances; lead free plumbing requirements; construction board of appeals; variances from the code,

(Turn to Director's Column on page 2)

Plan Submission Requirements for Mechanical Permits

The Bureau of Construction Codes requirements for submission of plans for mechanical systems in one-and two-family dwellings is changing. Previously, the threshold included all one-and two-family dwellings over 3,500 square feet in area.

A lawsuit was filed in Ingham County Circuit Court against the Bureau and other State defendants over the threshold requirement imposed for the submission of plans. Discussions between the parties led to a settlement of the lawsuit and modifications in the threshold requirement. The new provision includes a base line in Btu input rating of mechanical heating equipment, rather than building size. This new criteria provides a better representation of the complexity of the heating system, based on equipment size rather than building area. This new development provides for a threshold of more than 375,000 Btu input rating before plans would be required for one-and two-family dwellings.

The specific changes include:

Construction documents are not required for the following:

1. One-and two-family dwellings when the heating system input rating is 375,000 Btu's or less.
2. When alterations and repair work are determined by the mechanical official to be of a minor nature.
3. Business, mercantile and storage buildings having HVAC equipment only, with one fire area and not more than 3,500 square feet.
4. Work completed by a governmental subdivision or state agency costing less than \$15,000.

The application form is being modified to reflect these submission requirements. Contractors and other permit applicants will be required to list the equipment input rating on the application.

During inspections, a simple check of the equipment will confirm the size of the equipment being installed to confirm the information is correct.

Questions concerning this change should be directed to the Mechanical Division at (517) 241-9325.

Manufactured Home Installation

by Richard VanderMolen, Director
Manufactured Housing Division

July 15, 1998, was the effective date of several changes to the Manufactured Housing Commission Rules.

One of the most significant changes prohibits retailers from installing manufactured homes under their retailer licenses. The revised rules require a person to have an installer/servicer license to install or "uninstall" a manufactured home unless the person is an individual employed by the manufacturer of the home.

The new rules also clarify that a manufactured home must be installed according to its manufacturer's installation instructions. In the absence of the manufacturer's installation instructions, a home must be installed in compliance with specifications prepared by a professional engineer. If no professional engineer is available, then a home's installation must comply with Commission Rule 602(2).

Any questions about the Commission Rules may be addressed to the Manufactured Housing Division at (517) 334-6203.

Director's Column, continued:

assistance to local communities; heating cables; fees; unlawful conduct; civil violations; school construction exemption from local codes; permit requirements; premanufactured units; product approvals; baby changing tables, barrier free design; energy conservation requirements; and potty parity.

Certain provisions of the State Construction Code Act do not apply to municipalities enforcing a code, other than the state code. The opinion states: "A municipality that has exempted itself from the Act pursuant to section 8(1) remains bound only by those sections enumerated in section 8(7) and 8(10) [noted above]. Since section 16(1), which provides for appellate review is not a section enumerated in either 8(7) or 8(10), its provisions do not apply to a Construction Board of Appeals of a municipality which has exempted itself from the Act."

The opinion concludes: "It is my opinion, therefore, that the State Construction Code Act of 1972 does not authorize appeals to the State Construction Code Commission from the Construction Board of Appeals of a municipality that has exempted itself from enforcing the state construction code."

BULLETIN

BUREAU OF
CONSTRUCTION
CODES

MICHIGAN DEPARTMENT OF
CONSUMER AND
INDUSTRY SERVICES

The BULLETIN is a quarterly publication of the Bureau of Construction Codes within the Michigan Department of Consumer & Industry Services. The BULLETIN is published for the information of the 46,000 plumbers, electricians, mechanical contractors, boiler and elevator licensees, plan reviewers, building officials, and inspector registrants throughout the state.

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Electrical Wiring for Sewage Lift Pumps

Recent changes in standards, published by the National Fire Protection Association (NFPA), has resulted in classification changes for residential wet and dry wells that contain electrical wiring for sewage effluent pumps. NFPA 820, Fire Protection in Wastewater Treatment and Collection Facilities, prescribes classification of various types of sewage facilities.

Prior to publication of the 1995 edition of NFPA 820, wet wells were classified as Class 1, Division 2 atmospheres due to the presence of methane gas. Dry wells were also classified locations unless continuous ventilation was provided that effected 6 air changes per hour. Therefore, inspectors were requiring wiring methods that complied with Class 1, Division 2 requirements, prescribed by Article 501 of the code.

As a result of research provided to the Technical Committee on Wastewater Treatment Plants for NFPA 820 it was determined that no documented reports of explosion or fire had occurred in residential systems. The data also reported that residential sewage systems were vented through the dwelling plumbing system and provided adequate ventilation of methane gas, which is lighter than air. This resulted in changes in wet well and dry well classification to unclassified, for the purposes of NEC - Area Electrical Classification. This is indicated in Table 2 of the 1995 Edition of NFPA 820. The table also places a condition on the classification, which is the pumping equipment shall not serve more than five dwellings.

As a result of the above changes wiring methods for this type of installation will be permitted to comply with Chapters 1 through 4 of the National Electrical Code. You should also keep the following in mind:

1. Flexible cord use must provide for physical protection of the cords.
2. Wet wells contain hydrogen sulfide gas, which is corrosive.
3. Article 430 requires a disconnect in sight of the pump motors.

Questions regarding this issue should be directed to the Electrical Division at (517) 241-9320.

Elevator Electrical Equipment and Wiring

Issue: Is it permissible to use the elevator light power source to supply power to automatic reopening devices such as, elevator car doors or gates?

Law: ASME A17.1, Rule 210.4 states that all electrical equipment and wiring shall conform to the requirements of ANSI/NFPA 70. ANSI/NFPA 70, Section 620-22(a), states that a separate branch circuit shall supply the car lights, receptacles, auxiliary lighting power source and ventilation on each elevator.

Discussion: To use the same power source as the lighting would be dangerous. Since this is not normal practice and would be contrary to the code, a person servicing the reopening device would be in a potentially hazardous position.

Conclusion: Reopening devices in elevators shall not be supplied by the car lighting power source.

Boiler Division Requires Drawings

The Boiler Division now requires drawings of an installation to be attached to a permit application. The reason for this action is to avoid costly repiping of installations that do not meet the 24" clearance requirement of Act 290 of 1965, the Boiler Law and Rules.

These drawings should be simple sketches that include the controls, appurtenances, and gas train. The dimensions from the boiler, controls, appurtenances, and gas train to the next component or object must be included as well. If a request for a clearance waiver is being made that also should be attached to the drawing.

Permit applications received without the required drawings will be returned unapproved with a request that the drawing be attached to the permit application and returned to the Boiler Division. Drawings for replacement boilers are also required to be attached to permit applications.

Questions should be directed to the Boiler Division at (517) 241-9334.

Bureau Training January 5-8, 1999

The bureau will be conducting annual training for management and inspection personnel beginning January 5, 1999. Administrative support staff will be in the office and available to answer questions and take messages. Management staff will be in contact with the office on a daily basis. Any call which warrants immediate attention will be returned. If possible, please work with inspection staff to arrange inspections before or after the training seminar.

Holiday Closings

State offices will be closed in observance of the following holidays:

November 26 & 27 -- Thanksgiving
December 24 & 25 -- Christmas
December 31 & January 1 -- New Years
January 18 -- Martin Luther King Day
February 15 -- President's Day

Scheduled Board Meetings

MEETING	DATE	TIME	PLACE
Board of Mechanical Rules	Jan. 5	9:00 a.m.	Okemos-Conf. Room 3
Construction Code Comm.	Jan. 13	9:30 a.m.	Okemos-Conf. Room 3
Barrier Free Design Board	Jan. 8**	9:30 a.m.	Okemos-Conf. Room 1
Elevator Safety Board	Jan. 15**	9:00 a.m.	Okemos-Conf. Room 3
State Plumbing Board	Jan. 21	10:00 a.m.	Okemos-Conf. Room 2
Electrical Administrative Board	Feb. 19	9:30 a.m.	Okemos-Conf. Room 1
Board of Mechanical Rules	Feb. 24	9:00 a.m.	Okemos-Conf. Room 3

Okemos = 2501 Woodlake Circle, 2nd floor, Okemos, MI

***tentative date*

License Exam Schedule

Exam dates have not yet been finalized for 1999. Please contact respective division in December to obtain exam dates and locations.

Plumbing Code Interpretation

The Construction Code Commission approved an interpretation at the July meeting addressing privacy in toddler rest rooms for the state plumbing code.

A question was submitted stating "are toddler restroom water closet compartments provided with sufficient privacy between fixtures when water closet compartments utilize half height doors?"

The commission said, "YES", after considering Part 7, Rule 725b, section 306.4.

They further stated, "The rule requirement of a door in itself provides clarification that the efforts to secure privacy for the water closet user is also required in securing privacy from other occupants of the restroom area. However, toddler restrooms, which warrant monitoring for security and assistance issues, may utilize half height doors."

Individuals having questions related to the interpretation may call the Plumbing Division, Chief Robert Konyndyk at (517) 241-9330.

Code Rules Update

The bureau is in the final stages of the legislative process to update the building, electrical, and mechanical code rules. These rules will be filed with the Secretary of State on November 13, 1998, and become effective 15 days after filing. Rules will be mailed to the clerks of all local units of government, all registered inspectors for the code discipline, licensed contractors for each code discipline, manufacturers of premanufactured units, and approved inspection agencies. If you wish to receive a copy of these rules please send a check for \$2.50 for each rule set requested made payable to the State of Michigan and forward to the Bureau of Construction Codes, P.O. Box 30255, Lansing, Michigan 48909.

Building Officials, Plan Reviewers, and Inspector Rules Update

The bureau has also filed rules with the Secretary of State on October 16, 1998, revising the Building Officials, Plan Reviewers, and Inspector Registration rules. These rules have been revised to clarify the language contained in Rule 37 which stipulates the requirements of an individual applying for registration as a building inspector. A copy of these rules will be mailed to the clerk of each unit of government. The changes in these rules affect only those individuals who apply for registration after October 30, 1998.

1999 Inspector Training Programs

Continuing education programs for inspectors will be conducted by bureau staff at the Ralph A. MacMullan Conference Center, Roscommon, Michigan, on the following dates:

Plumbing Inspectors	February 8-10, 1999 October 11-13, 1999
Electrical Inspectors	March 10-12, 1999 September 13-15, 1999
Mechanical Inspectors	March 22-24, 1999 October 25-27, 1999
Building Inspectors	December 6-10, 1999 (week #1) January 24-28, 2000 (week #2)

Reservations or questions regarding training programs should be directed to the Office of Local Government and Consumer Services at (517) 241-9347.

Attached Garages Section 407.5

Section 407.5 of the BOCA National Building Code establishes the requirements for doors between a dwelling and an attached garage. It requires the sills to be a minimum of 4 inches above the garage floor. This is to prevent fuel, oil, or vapors from leaking into the interior habitable spaces.

The required 4 inch elevation of the door sill is not required to be immediately adjacent to the door. The garage floor is the surface that supports the vehicle. If the door sill is 4 inches or higher than the surface supporting the vehicle, the code is satisfied. The elevation change may be at the door or 6 feet from the door into the garage.

Therefore, a door between a dwelling and attached garage may have a level walking surface on both sides of the door. The steps down to the floor surface supporting the vehicle may be at any point; however, the code requires that the sill is a minimum of 4 inches above the surface supporting the vehicle.

BCC Implements New Permit System

On July 20, 1998, the bureau implemented a new permitting/licensing computer system. This involved updating all hardware and software within the bureau as well as several procedural changes. This update became necessary in order for the bureau to conform with Year 2000 compliance requirements. Licensing law changes also needed to be addressed and updating and maintaining the old system was not feasible.

Whenever change takes place a certain level of frustration is bound to occur. We are aware the changes in our computer system may have caused some delays or had an impact on your business. We apologize for whatever problems this may have caused. The long term benefits of these changes will enable the bureau to provide a higher level of service.

The bureau is continuing to update its infra-structure. Planned improvements include a new inspector handheld system, automation of the Boiler Division and Plan Review Division, and utilizing the WEB. The bureau is committed to using technology as another tool to improve service to its customers.

Bureau Inspectors Are Missed

The **Elevator Safety Division** would like to wish a fond farewell to General Elevator Inspector Mick Van Fleteren. Mr. Van Fleteren, after serving as a state elevator inspector for the past eight years, decided to retire and become a resident of the Sunshine State. Mick came to work for the state after serving approximately 33 years in the elevator industry and his knowledge and expertise will be sorely missed.

The **Electrical Division** would like to express their sympathy to the family of Electrical Inspector Bruce Benton. Mr. Benton, who served as a state electrical inspector for 8 1/2 years, passed away July 16, 1998. Bruce is truly missed by co-workers and contractors.

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